

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL DUFF,
Petitioner

v.

CRAIG APKER, et al.,
Respondents

:
: **Civil Action No. 3:09-cv-672**
:
: **(Chief Judge Kane)**
:
:
:

ORDER

NOW, on this 27th day of January 2011, upon consideration of Magistrate Judge Martin Carlson's well-reasoned report and recommendation (Doc. No. 28), to which no objections have been filed,¹ **IT IS HEREBY ORDERED THAT** the report and recommendation is **ADOPTED**. The Court will **DENY** the motion for habeas relief. The clerk of court is directed to close the case.

S/ Yvette Kane
Yvette Kane, Chief Judge
United States District Court
Middle District of Pennsylvania

¹ On January 3, 2011, Petitioner's counsel filed an unopposed motion to continue the deadline for filing objections because he was unable to locate his client. (Doc. No. 29.) This Court granted the motion and ordered objections to the report and recommendation be filed by January 18, 2011. (Doc. No. 30.) On January 18, 2011, Petitioner's counsel informed the Court that he was still unable to make contact with his client and thus could not lodge any objections to the report and recommendation. (Doc. No. 31.)